

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS

No. 6:24-cv-00429

DeJuan A. Williams,
Petitioner,

v.

Director, TDCJ,
Respondent.

ORDER

This habeas corpus action was referred to a magistrate judge pursuant to 28 U.S.C. § 636(b). On January 3, 2025, the magistrate judge issued a report recommending that the court deny the habeas petition, dismiss this case with prejudice, and deny a certificate of appealability sua sponte. Doc. 10. Petitioner filed timely written objections. Doc. 11.

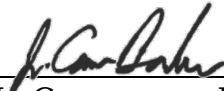
The court reviews the objected-to portions of a magistrate judge's report and recommendation de novo. *See* Fed. R. Civ. P. 72(b)(3); 28 U.S.C. § 636(b)(1). The magistrate judge recommended dismissal because petitioner failed to identify a constitutionally protected liberty interest being infringed by the fact or duration of his confinement. Doc. 10 at 3–5. Of the punishments petitioner faces due to his disciplinary conviction, none of them affects the fact that he is confined or the length of his confinement. Habeas relief is therefore unavailable. *Malchi v. Thaler*, 211 F.3d 953, 958 (5th Cir. 2000) (“a federal habeas action is only available to challenge the fact or duration of confinement, not the conditions of confinement” (citing *Preiser v. Rodriguez*, 411 U.S. 475, 493 (1973))). Although loss of good-time credits can merit habeas relief, petitioner acknowledged that he is not eligible for early release under mandatory supervision. Doc. 7 at 5.

Petitioner's objection rehashes the alleged unfairness of his prison disciplinary conviction, but it does not identify any error in the magistrate judge's analysis. Specifically, petitioner does not

dispute that his disciplinary conviction had no impact on the length of his incarceration.

Having reviewed the magistrate judge's report de novo, and being satisfied that it contains no error, the court overrules petitioner's objections and accepts the report's findings and recommendation. Petitioner's habeas petition is denied, and this case is dismissed with prejudice. This dismissal is without prejudice to petitioner's ability to prosecute the related civil-rights lawsuit that was severed from this action. *See* Doc. 12. A certificate of appealability is denied. Any pending motions in this matter are denied as moot.

So ordered by the court on July 1, 2025.



J. CAMPBELL BARKER
United States District Judge